

Remarks

Claims 1 and 3-23 are pending. Claims 14 and 16 are amended to more particularly point out and distinctly claim Applicant's invention.

The Examiner rejected Claims 1, 3-5, 8-15 and 16-22 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,124,810), in view of U.S. Patent 5,983,198 ("Mowery"). In support of his rejection of Claim 1, the Examiner states in the Final Office Action of November 6, 2002, in pertinent part:

* * *

Segal fails to specifically disclose the alerting a designated location from the service center upon receiving the signal. However, Segal does disclose the alerting signals from the mobile vehicle (108) to the dispatch center (102) for informing or determining the status of the vehicle in transit such as the vehicle has arrived or departed from a planned or unplanned stop [col. 4, lines 57-62 and col. 10, lines 10-27]. Furthermore, Mowery teaches that the alert (message) from a service center (114) to the designated location such as a customer's plant (126) in response to the signal from a mobile unit (120) in the form of the truck location and delivery information includes a wireless communication/G.P.S. system (122) for goods delivery schedule time [fig. 1, col. 4, lines 17-32 and col. 8, lines 24-29]. It would have been obvious to one having ordinary skill in the art to have the system of Segal as taught by Mowery for notifying the alerting the customer the time for goods delivery or pickup at any desired location.

Applicant respectfully submits that the Examiner is incorrect regarding the teachings of Mowery. Contrary to the Examiner's assertion above, Mowery does not teach "alerting a designated location from the service center upon receiving the signal," as recited in Claim 1. As quoted above, the Examiner relied on Mowery's teachings in Fig. 1, col. 4, lines 17-32 and col. 8, lines 24-29. With respect to Mowery's Fig. 1, Mowery's Fig. 1 does not show the central station 114 sending a message to a designated location in response to an alert signal

from a mobile unit. Mowery's Fig. 1 shows merely invoices and usage information being sent to the customer. With respect to the portions in cols. 4 and 8 of Mowery that the Examiner relied upon, they recite:

Material consumption at each plant 102 is predicted based on the particular site's historical consumption pattern and available information on future changes. Product delivery is optimally scheduled by the central station based on the site inventory and site receiving characteristics. As a result delivery of the raw materials to the tanks 104 is customized to fit the particular needs of the particular plant 102. The central station 114 provides the routes and orders information to a shipping terminal 116. A dispatcher at the central station 114 supervises a fleet of vehicles 118 for delivery by a certain date in order to avoid a tank level from going below a minimum level or may be discretionary orders which may be filled at the option of the dispatcher.

(emphasis added; Mowery, at col. 4, lines 17-32)

The system may also be configured to allow customers to specify minimum and maximum inventory levels in each tank 104 and to allow the customer to specify acceptable dates and times of receiving delivery at the plant 102. In addition, the system may adapt to the customer's daily shifts or allow the customer to change any scheduled plans.

(emphasis added; Mowery, at col. 8, 24-29)

As is apparent from the portions of Mowery quoted above, neither of these portions discloses or suggests Claim 1's limitations of "alerting a designated location from the service center upon receiving the signal." While the above-quoted portions of Mowery explains at length that the scheduling of delivery is created according to site inventory, site receiving characteristics, and at customer's convenience, Mowery simply does not mention that a designated location receives an alert. Thus, the Examiner's reliance on Mowery for a basis to support his rejection of Claim 1 is unwarranted. Applicant therefore submits that Claim 1, and therefore dependent Claims 3-5 and 8-13 are allowable over Segal and Mowery.

As amended, Claims 14-15 each recite:

generating an alert from the delivery vehicle when the distance is less than a threshold distance;

receiving the alert at the service center; and

sending a message from the service center to the selected destination in response to the alert received at the service center.

Thus, Applicant submits that Claims 14-15 are each allowable over Segal and Mowery for the reasons set forth above with respect to Claim 1. Likewise, Claim 22 is allowable over Segal and Mowery, since it recites:

a service center connected to the data connection to enable receipt of messages from a mobile unit over a wireless network connection and connected to the alerting device to enable the service center to activate the alerting device and send alerts, the service center maintaining contact information for the mobile unit, wherein in response to a signal from the mobile unit, the service activates the alerting device to send an alert to a designated location identified in the contact information.

(emphasis added)

As to Claims 16-21, the Examiner relies on Segal for teaching a control circuit at Fig. 2, col. 3, lines 12-17 and col. 10, lines 1-17. However, as amended, Claims 16-21 each recite a control circuit that performs specific tasks:

a control circuit including a user interface, wherein (1) the control circuit receives a destination list from the service center over the wireless connection, (2) the user interface allows a user to edit the destination list received, and (3) the control circuit determines a current destination from the destination list, automatically activates the location system to determine a current location of the mobile unit, determines whether the mobile unit has crossed a threshold relating to the current destination, and activates the wireless device to send an alert signal if the mobile unit has crossed the threshold.

Such a control circuit is neither disclosed nor suggested by Segal or Mowery. For example, as quoted above, Claims 16-21 each recite a user interface by which a user can edit the destination list received. As discussed in Applicant's Specification, beginning at page 7, line 30 to page 8, line 10, such an ability to edit or even override the ordering specified in the destination list allows a driver to apply his or her own judgment based on field information not available to the service center. In contrast, Segal discloses a system in which the user is merely provided the destination list for review and not modification (e.g., see Segal, at col. 4, lines 47-52). Similarly, as discussed above, Mowery discloses that scheduling of delivery is performed according to site inventory, site receiving characteristics, and at customer's convenience (Mowery, col. 4, lines 17-32; col. 8, lines 24-29). Thus, Mowery also does not disclose or suggest providing the user of the mobile unit a capability to edit the delivery schedule. Accordingly, Applicant respectfully submits that Claims 16-21 are also allowable over Segal and Mowery, individually and in combination.

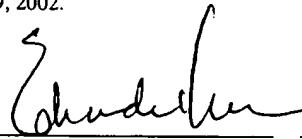
For the above reasons, Claims 1, 3-5, 8-15 and 16-22 are allowable over Segal and Mowery. Reconsideration and allowance of these claims are therefore requested.

The Examiner rejected Claims 6-7, 18 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Segal in view of Mowery, and further in view of U.S. Patent 5,959,577 ("Fan"). Since Claims 6-7 depend from Claim 1, Claim 18 depend from Claim 16 and Claim 23 depend from Claim 22, Applicant submits that these claims are allowable over the combined teachings of Segal, Mowery and Fan for the reasons set forth above. Accordingly, Applicant requests reconsideration and allowance of these claims.

LAW OFFICES OF
MacPherson, Kwok, Chen &
Held LLP
2001 Gateway Place
San Jose, CA 95110
(408)-392-9520
FAX (408)-392-9262

Therefore, all pending claims (i.e., Claims 1, 3-23) are allowable over the art of record. If the Examiner has any question regarding the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant at 408-392-9250.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on July 9, 2002.



Attorney for Applicant(s)

7/9/002
Date of Signature

Respectfully submitted,



Edward C. Kwok
Attorney for Applicant(s)
Reg. No. 33,938

LAW OFFICES OF
MacPherson, Kwok, Chen &
Held LLP
2001 Gateway Place
San Jose, CA 95110
(408)-392-9520
FAX (408)-392-9262



Appendix

Please amend Claims 14 and 16 as follows:

14. (Twice Amended) A delivery method comprising:

creating a list of destinations for deliveries at a service center, the list including a threshold distance for one or more destination for which an alert should be generated;

downloading a portion of the list of destinations to a mobile unit installed in a delivery vehicle, the downloading being effectuated over a wireless network connection which links the mobile unit to the service center over a wide area network;

selecting a destination from the list as a next destination for a delivery vehicle;

monitoring distance between the delivery vehicle and the selected destination;

[and]

generating an alert from the delivery vehicle when the distance is less than a threshold distance;

receiving the alert at the service center; and

sending a message from the service center to the selected destination in response to the alert received at the service center.

16. (Twice Amended) A mobile unit comprising:

a location system;

LAW OFFICES OF
MacPherson, Kwok, Chen &
Held LLP
2001 Gateway Place
San Jose, CA 95110
(408)-392-9520
FAX (408)-392-9262

a wireless device linking the mobile unit with a service center over a wireless network connection of a wide area network; and

a control circuit including a user interface, wherein (1) the control circuit receives a destination list from the service center over the wireless connection, (2) the user interface allows a user to edit the destination list received, and (3) the control [system] circuit determines a current destination from the destination list, automatically activates the location system to determine a current location of the mobile unit, determines whether the mobile unit has crossed a threshold relating to the current destination, and activates the wireless device to send an alert signal if the mobile unit has crossed the threshold.

LAW OFFICES OF
MacPherson, Kwok, Chen &
Held LLP
2001 Gateway Place
San Jose, CA 95110
(408)-392-9520
FAX (408)-392-9262